

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IN RE AUTOMOTIVE PARTS
ANTITRUST LITIGATION

:
: Master File No. 12-md-02311
: Honorable Sean F. Cox
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THIS DOCUMENT RELATES TO:
ALL END-PAYOR ACTIONS

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**END-PAYOR PLAINTIFFS’ UNOPPOSED MOTION FOR EXTENSION
OF TIME TO RESPOND TO CLASS ACTION CAPITAL’S MOTION TO
ENFORCE SETTLEMENT AGREEMENTS**

End-Payor Plaintiffs (“EPPs”), by and through their Court-appointed counsel (“class counsel”), respectfully submit this unopposed motion for an extension of time to respond to Element Fleet Corporation, Wells, Inc., Donlen LLC, and Automotive Rentals, Inc.’s Motion to Enforce Settlement Agreements. ECF No. 2149. Pursuant to the Federal Rules of Civil Procedure and the Local Rules of the Eastern District of Michigan, the deadline to respond to this motion is September 29, 2021. EPPs respectfully request this extension to properly address the issues raised by Class Action Capital and its clients. Movants do not oppose EPP’s request for an extension.

EPPs respectfully request that the Court enter an Order—attached hereto as Exhibit 1 and submitted separately via ECF utility—permitting EPPs to file an opposition brief on or before October 13, 2021. EPPs seek this extension due to work and personal obligations. Extending the Response deadline will allow EPPs to adequately address movant’s arguments.

Granting the relief sought by EPPs is well within the discretion of this Court. *See e.g. Slaven v. Spirit Airlines, Inc.*, 2009 U.S. Dist. LEXIS 99712, *7-8 (E.D. Mich. Oct. 27, 2009) (finding a schedule may be modified for good cause, a standard met when the moving party has diligently attempted to meet the current deadline and no prejudice to the opposing party will result) (citing *Leary v. Daeschner*, 349 F.3d 888, 906 (6th Cir. 2003)); *see also JAT, Inc. v. Nat’l City Bank*, 2007 U.S. Dist. LEXIS 82907, *7-8 (E.D. Mich. Nov. 8, 2007).

CONCLUSION

For the reasons stated above, EPPs respectfully request that this Court enter an Order permitting them to file a Response to Element Fleet Corporation, Wells, Inc., Donlen LLC, and Automotive Rentals, Inc.’s Motion to Enforce Settlement Agreements on or before October 13, 2021.

Dated: September 27, 2021

Respectfully submitted,

SUSMAN GODFREY L.L.P.

/s/ Jenna G. Farleigh

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*Attorneys for End-Payor Plaintiffs-
Appellees*

CERTIFICATE OF SERVICE

I hereby certify that on September 27, 2021, I electronically filed the foregoing paper with the Clerk of the court using the ECF system which will send notification of such filing to all counsel of record registered for electronic filing.

Dated: September 27, 2021

/s/ Jenna G. Farleigh
Jenna G. Farleigh

Attorney for End-Payor Plaintiffs